

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

United States of America,

Plaintiff,

v.

\$8,300 in United States Currency,

Defendant.

Civil Action No.: 5:20-CV-0640 (FJS/TWD)

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

The United States of America brings this verified complaint for forfeiture *in rem* against the above-captioned asset (the “defendant currency”) and alleges as follows:

NATURE OF THE ACTION

This is an action *in rem* brought pursuant to 21 U.S.C. § 881(a)(6) and Rule G of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions. Forfeiture is sought of the defendant currency as money furnished or intended to be furnished in exchange for a controlled substance, proceeds traceable to such an exchange, or money used or intended to be used to facilitate a violation of 21 U.S.C. § 841.

THE PARTIES

1. Plaintiff is the United States of America.
2. The defendant currency, \$8,300, is in the custody of the United States.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355.

4. This Court has *in rem* jurisdiction over the defendant currency pursuant to 28 U.S.C. § 1355(b).

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1355 and 1395.

FACTS

6. Jason Reed (“Reed”) is a convicted felon and a member of the Syracuse “Uptown” gang.

7. On February 26, 2009, Reed was convicted in Federal Court of Possession with Intent to Distribute and Conspiracy with Intent to Distribute more than 46.5 grams of Cocaine Base (*U.S. v Reed*, et al., 2008-CR-298). He was initially sentenced to 96 months in Federal prison.

8. On February 23, 2010, Reed’s sentence was reduced from 96 months to 84 months imprisonment. On September 22, 2014, he was released to a four-year term of supervised release under Federal Probation.

9. Reed repeatedly violated the terms of his Probation, including failing to report for drug testing multiple times.

10. Reed was shot and stabbed by rival gang members in two separate incidents.

11. On December 15, 2016, Probation and the government requested and were granted a modification of Reed’s supervised release, to include a curfew with electronic ankle monitoring.

12. Over the course of the next year, Reed again repeatedly violated the terms of his Probation, including failing to report to his Probation Officer on multiple occasions, making false statements to his Probation Officer, and failing to report numerous arrests and encounters with local law enforcement to his Probation Officer.

13. On March 9, 2018, a Court-ordered warrant was requested and issued. That same day, Probation Officers, along with local law enforcement, conducted a search of Reed’s residence

and found cocaine residue, drug packaging materials, and a digital scale. In connection with violating his Probation, Reed was sentenced to 12 months imprisonment beginning in May 2018.

14. On March 6, 2019, Reed was released to 24 months of supervised release under Federal Probation.

15. In October 2019, a confidential informant notified the Syracuse Police Department (“SPD”) that Reed had resumed selling cocaine. Law enforcement began surveillance of Reed.

16. In late 2019 and early 2020, law enforcement conducted several controlled buys of cocaine from Reed.

17. On January 28, 2020, SPD applied for and was granted state search warrants for Reed’s person, two residences frequented by Reed, and two vehicles associated with Reed.

18. On January 29, 2020, at approximately 9:00 a.m., officers from SPD and agents from the Drug Enforcement Administration (“DEA”) simultaneously executed the warrant.

101 MELROSE AVENUE, SYRACUSE, NEW YORK

19. 101 Melrose Avenue was frequented by Reed for the purposes of retrieving cocaine for sale and stashing cash.

20. 101 Melrose Avenue has its utilities listed in the name of “Todd D. Reed,” Jason Reed’s father. Todd D. Reed was present at the time of the search.

21. Todd D. Reed told law enforcement that while his son did not live in the residence, Reed kept some personal items in the front bedroom of the residence, including clothing, shoes, toiletries, and personal papers, and that Reed had his own key to the residence.

22. During the search of 101 Melrose Avenue, law enforcement located the following:

- a. Baking soda,¹ plastic sandwich bags,² a spoon, rubber gloves, and a working taser in the front bedroom dresser drawer;
- b. Personal papers and multiple pairs of shoes in the front bedroom closet;
- c. Multiple cell phones in various rooms of the home that did not belong to Todd D. Reed;
- d. A plastic bag containing 36 grams of cocaine and two digital scales, positive for cocaine, hidden in the pocket of a jacket in the front bedroom closet; and
- e. A loaded Taurus 9mm handgun³, wrapped in a washcloth⁴ and stuffed in the basement duct work.

23. In an affidavit, Todd D. Reed stated that the drugs and gun found during the search did not belong to him, the jacket where the cocaine was found belonged to his son, and he did not know that any of the located items were in his home.

24. The total amount of cocaine seized from the residence was approximately 36 grams.

938 WADSWORTH STREET, SYRACUSE, NEW YORK

25. 938 Wadsworth Street was frequented by Reed for the purpose of retrieving cocaine for sale and stashing cash.

¹ Frequently used as a “cutting agent” for cocaine.

² Known by law enforcement to be used for drug packaging.

³ A gun trace revealed the gun was stolen.

⁴ An identical color and brand of hand towel was found in the search of 938 Wadsworth Street.

26. Prior to executing the warrant, law enforcement observed the two target vehicles of the automobile search warrant, a 2008 silver Acura and a 2015 red Chevrolet Traverse, parked in the driveway of the residence.

27. Shortly thereafter, Reed exited the home at the same time as his live-in girlfriend, Anastasia Shaffer (“Shaffer”). Reed pulled out of the driveway in the Acura while Shaffer left simultaneously in the Traverse.

28. Law enforcement stopped and seized both the Acura and the Traverse. Neither Reed nor Shaffer were responsive to questioning, and both were transported back to the residence.

29. During the search of 938 Wadsworth Street, law enforcement located the following:

- a. A black women’s purse containing a small, knotted section of plastic with 0.9 grams of cocaine, two digital scales with cocaine residue, a small Tupperware container with cocaine residue, and a grinder located in the drawer of a plastic shelving unit in the master bedroom;
- b. A bottle of Benzocaine on the floor of the master bedroom;⁵
- c. A black drill box containing a knotted plastic bag with 1.4 ounces of cocaine on a basement shelf;
- d. A black box containing a knotted plastic bag with 1.1 ounces of cocaine, along with a grey scale with cocaine residue, on a basement shelf;

⁵ Frequently used as a “cutting agent” for cocaine.

- e. A container of Creatine powder in the basement;⁶
- f. A metal sifter with cocaine residue in the upstairs hall closet;
- g. A loaded Glock 23 9mm semi-automatic handgun with defaced serial number on the top of an HVAC duct in the basement;⁷
- h. Personal mail for both Reed and Shaffer; and
- i. Two rubber-band bound stacks of U.S. currency totaling \$8,300 in denominations of \$100s, \$50s and \$20s (“the defendant currency”), hidden deep in the basement rafters.

30. The total amount of cocaine seized from the residence was approximately 3 grams.

31. Reed and Shaffer were arrested and charged with Criminal Possession of a Controlled Substance, Third Degree, and Criminal Possession of a Weapon, Second Degree.

32. Jason Reed is currently incarcerated and awaiting disposition on both state and federal charges.

33. Anastasia Shaffer is currently awaiting disposition on state charges.

34. During the time Reed was under the supervision of his parole officer, he never reported any employment or any other sources of legitimate income, other than an approximate two-month stint as a window washer.

35. On March 20, 2020, Shaffer filed a claim to the defendant currency with DEA. She claimed, under penalty of perjury, that “the money that was taken from my house was money that I have been saving up for the last 4 years for home improvement projects [and] saved from previous IRS tax returns and from my job that I have been working for the last 7 ½ years.”

⁶ Frequently used as a “cutting agent” for cocaine.

⁷ Neither Reed nor Shaffer held a valid pistol permit.

CONCLUSION

36. The facts set forth above support a reasonable belief that the government will be able to meet its burden of proof at trial. Specifically, probable cause exists to believe that the defendant currency constitutes: (a) money furnished or intended to be furnished by a person in exchange for a controlled substance in violation of the Controlled Substances Act; (b) proceeds traceable to such an exchange; or (c) money used or intended to be used to facilitate a violation of the Controlled Substances Act.

WHEREFORE, pursuant to Supplemental Rule G, Plaintiff, the United States of America, respectfully requests that the Court:

- (1) Issue a Warrant of Arrest *In Rem*, in the form submitted with this Complaint;
- (2) Direct any person having any claim to the defendant currency to file and serve their Verified Claims and Answers as required by 18 U.S.C. § 983(a)(4) and Supplemental Rule G;
- (3) Enter judgment declaring the defendant currency to be forfeited and condemned to the use and benefit of the United States; and
- (4) Award such other and further relief to the United States as it deems proper and just.

Respectfully submitted,

Dated: June 9, 2020

GRANT C. JAQUITH
United States Attorney

By: /s/ Mary E. Langan
Mary E. Langan
Assistant United States Attorney
Bar Roll No. 518971

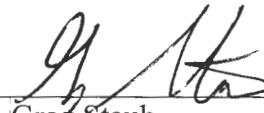
VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF ONONDAGA)

Greg Staub, being duly sworn, deposes and states:

I am a Detective with the Syracuse Police Department. I have read the foregoing Complaint for Forfeiture and assert that the facts contained therein are true to the best of my knowledge and belief, based upon knowledge possessed by me and/or on information received from other law enforcement officers.

Dated this 8th day of June, 2020.



Greg Staub

Detective, Syracuse Police Department

Sworn to and subscribed before me this 8th day of June, 2020.



Notary Public

SARAH J. TERRELL
Notary Public - State of New York
Qual. in Onondaga Co. No. 01TE6170177
My Commission Expires July 2, 2023

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff Onondaga
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
Mary E. Langan, Assistant U.S. Attorney (315) 448-0650
United States Attorney's Office, 100 South Clinton Street
Syracuse, New York 13261

DEFENDANTS

\$8,300 in United States Currency,

County of Residence of First Listed Defendant Onondaga
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|--|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

21USC 881(a)(6)

Brief description of cause:

Drug proceeds/facilitation**VII. REQUESTED IN COMPLAINT:**
☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:☐ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE Senior Judge Frederick J. Scullin, Jr.DOCKET NUMBER 2008-CR-298

DATE

SIGNATURE OF ATTORNEY OF RECORD

06/09/2020

s/Mary E. Langan

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT Waived APPLYING IFP _____ JUDGE FJS MAG. JUDGE TWD

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